

### **375-5-1-.10 Office Requirements**

(a) The clinic shall permit authorized representatives of the Department to make periodic, scheduled or unscheduled inspections of all clinic facilities. During each inspection each owner, partner, associate, corporate director, office manager or employee of the clinic shall cooperate with the Departments representative and upon demand shall exhibit all records, instructional aides or such other materials as may be called for to be inspected.

(b) The telephone must be used exclusively for the operation of the clinic. The telephone may be used in conjunction with an Alcohol Program licensed by the Georgia Department of ~~Human Resources Behavioral Health and Developmental Disabilities~~, or with a driver training school or ignition interlock provider licensed by the Department. The clinic must notify the Department in writing within ten (10) days of any telephone number changes for the clinic.

(c) Sufficient indoor space must be provided for the purpose of ~~instruction~~instructing the Driver Improvement Program, to include individual desks or tables with chairs to accommodate students comfortably. Classes of instruction are limited to a maximum number of forty students per class unless the Department determines that the space is inadequate for that number of students. In those situations, the maximum number will be calculated on twenty square feet per student with a minimum number of fifteen students per class. The minimum square feet of an indoor classroom must be at least 300 square feet of useable classroom space. Programs licensed prior to the enactment of the 300 square foot minimum may continue to utilize existing classrooms that satisfied the prior requirement of 250 square feet. Such programs may not add new classrooms that are less than 300 square feet in size.

~~(d) The business office of the clinic cannot be operated through a telephone answering service or a telephone answering machine; however, the clinic telephone number may be answered in an off-site call center, which may answer calls to multiple clinics, provided that the call center is staffed between the hours of 10:00 a.m. and 4:00 pm on weekdays, federal and state holidays excepted, and provided that the call center staff must be able to answer inquiries, furnish information, and schedule students for classes. Each clinic is responsible for notifying the Department of times during which the business office of the clinic will be closed for lunch or vacation and of the regularly scheduled hours of operation of the business office.~~

~~(e) The owner or operator of a clinic will be permitted to list his or her residence telephone number in any advertisement or on business cards provided such listing specifically states that such person may be called only after a designated hour.~~

~~(f) A clinic may use a telephone answering service or a telephone answering machine if extenuating circumstances arise whereby an employee of the clinic cannot be available to answer the telephone. If this type service extends past eight hours in any normal workweek, approval must be granted from the Department. For the purpose of this~~

~~chapter, a normal workweek shall commence on Monday at 8:00 a.m. and conclude on the following Friday at 4:30 p.m.~~

~~(g)~~(d) A clinic shall maintain business hours of at least fifteen (15) hours per week, half of which must fall within the Department's normal business hours. An employee of the clinic must be available during ~~the hours of 10:30 a.m. to 5:00 p.m.~~ this time to furnish information of operation, verify attendance to a class, or to produce the necessary records or documents whenever requested by a member of the Department. The clinic may close for a lunch hour at a set time, upon notice to the Department of the scheduled lunch hour. Each clinic is responsible for notifying the Department of times during which the business office of the clinic will be closed for lunch or vacation and of the regularly scheduled hours of operation of the business office.

~~(h)~~(e) Each clinic must have a principal office. The principal office cannot be located in a private residence unless a separate public outside entrance is provided.

~~(i)~~(f) Any school, office, or classroom facility utilized for or approved for the purposes of a Driver Improvement Clinic shall comply with the requirements set forth by the Americans with Disabilities Act of 1990, before a permit is issued. The owner shall certify to the Department that the office and/or classroom complies with the Act, its implementing regulations, and Georgia laws governing access for the handicapped.

~~(j)~~(g) Any driver improvement clinic which is to be closed on a weekday other than for federal or state holidays must give the Department written notice of the closure two weeks in advance. Confirmation of the receipt of the notice will be issued by the Department. The clinic is not relieved of its obligations to make records and documents available for inspection unless it has received confirmation of receipt of the notice of proposed closure from the Department.

Authority: O.C.G.A. §§40-5-80 and 40-5-83.

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this proposed amendment is to (1) increase the minimum classroom square footage requirement and (2) reduce the required office hours of Driver Improvement clinics to foster consistency and uniformity within the industries regulated by the Department.

### **DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES**

The words "Human Resources" were replaced with "Behavioral Health and Developmental Disabilities" in Paragraph (b). Paragraphs (d), (e) and (f) were deleted and the sequence of the remaining paragraphs was adjusted accordingly.

Verbiage was added to Paragraph (c) and newly sequenced Paragraph (d) explicitly stating both the square footage and minimum office hour requirements of the Department, respectively. A strikethrough was made to the previous verbiage regarding office hours, and clarifying language was added.